SYNOPSIS

Introduction

The Adivasis constitute the most deprived section of the Indian society. In every aspect of life, they are locked in sub-human standard and are increasingly subjected to feudalistic claws of oppression and capitalistic culture of exploitation. Poverty and deaths due to starvation and diseases resulting from malnutrition are their eternal masters. They have become socially downtrodden, politically marginalised and neglected and culturally the invariable satellites of others. One of the main causes of this murky state of Adivasi life is the unabated process of land alienation. The spread of civilization in to the forest lands and the High ranges has practically created considerable problems among the Adivasis who had occupied such land over centuries as their homeland. The extension of civilization has brought them in to economic and social conflicts of which they have no potentiality and caliber to withstand as they belong to the poorest section of the society. The result is that the integrity of the Adivasis as social groups has been lost. They are kept out of the mainstream of the socio-economic, political and cultural developments in the country.

Being the most marginalised categories among the outliers, the Adivasis are the most affected in the country with many atrocities and calamities, both man-made and natural; the famines, floods, mafia menace, socio-cultural perversities like child marriages, sexual assaults and the problem of landlessness, land alienation and also the problem of unwed mothers. The ultimate cause for which government is working for the national development, where sometimes the development strategy is delineated in such a manner that a handful of Adivasis may be denied protection in lieu of livelihood offered for a vast majority. Some of the instances that emphasize this concern are the Land Acquisition Act, amendments to the Fifth Schedule of the Constitution, the Plant Varieties and Biodiversity Bills etc. One of the major problems faced by the Adivasis is the land alienation, which displaces them and denies livelihood causing threat to their very existence. It is alarming that in the name of development, when exploitation of forestlands take place, more than 40 percent

of the Adivaisis suffer displacement of their habitats and this has affected their lives seriously in the absence of any rehabilitation policy. The Fifth Schedule is the major constitutional provision that protects the right of the Adivasis by providing specific constitutional safeguards against their alienation from their water, land and forests. This prohibits transfer of tribal lands in certain areas known as Scheduled Areas. However, it is important to note that despite the Fifth Schedule, alienation of Adivasis from their lands are noticeable even in the Scheduled areas, particularly for the cause of mining and extractive industries. Moreover, Article 46 of the Constitution provides that the state shall promote with special care the educational and economic interests of the weaker sections, particularly the Scheduled Tribes, and promises to protect them from social injustice and all forms of exploitation.

Furthermore, It can be easily asserted that in almost all the states in the country, crimes against Scheduled Tribes are high and their investigation and conviction low; illiteracy and landlessness, hutlessness and worklessness highest. In the words of Justice V. R. Krishna Iyer "The impact of National Plan is lowest, of welfare legislation weakest, of legislative justice and of legal aid benefits actually denied next to nil, of jobs in public services and economic assistance from state and other institutions far less than 'reservations.' Resources insignificant social and occupational status still deplorable, women's lot too bad for words, in short, equality, fraternity, individual dignity and social justice of tribals are such that a cultural social revolution, whatever the process is unavoidable, if the Constitution is to fulfill itself."

The Adivasis in Kerala are also found in this general situation prevailing in India from which they have not come out so far. The main reason for this gloomy situation is their backward socio- economic status and meagre resources. Although they participate actively in production relations, they have no control over the means of production. Most of them live under poverty line and all the governmental measures adopted for their progress have failed to lift them above that line. The Adivasi land alienation is a major contributory factor for the continuance of this situation. Therefore, the denial of the right of the Adivasis to

lead a dignified life in the mainstream of the society equally enjoying the resources of the nation is the violation of their human rights in all respects.

In short, the problems of tribal brethren are somber and macabre. They are bonded labour, the feudal serfs, the raped womanhood, the murdered and molested, *les miserables*, aliens in their home and exploited by plainsmen, living in slums and dying in distant hills. There are rehabilitation plans for Adivasis, which prove to be money- making plots for intermediaries. Justice in jungle is still in shambles.

The Adivasi life in Wayanad also does not present a different picture. A section of people, living mostly in sub-human social milieu who have not been able to come to the mainstream of the society in a country where absolute democracy is following since independence. They are not the beneficiaries of any welfare measures of the government. Their survival has been put in question because they are the merciless victims of starvation deaths, diseases, deaths due to malnutrition etc and have been unceremoniously denied the opportunity of equally enjoying the resources of a nation and whose human rights are mercilessly booted down from dawn to dusk, is nothing but, the Adivasis in Wayanad. The social and economic backwardness of this marginalised group of people; the Adivasis, is relentlessly continuing. Even in this 21st century what Tagore said is absolutely meaningful that the Adivasis are the "eternal tenants of an extortionate system."

The nature and extent of human rights denial to them has attracted the attention of several researchers and social activists. The onus of the Adivasis grim state of affairs is often being referred to as the misplaced development strategies adopted by the state, though there are responses from the state towards reducing their illiteracy, unemployment, hunger, land alienation and the destitution of these people. This study is a humble effort to understand the human rights profile and the socio-economic life of the Adivasis in Wayanad district and the extent of human rights violations among them etc. Later, the study probes into the issue of land alienation, the struggles of the civil society and the state response towards such violations.

Relevance of the Study

The Adivasi community the most backward of all the communities in the country, are indigenous settlers of the forests, who are most often denied of their fundamental rights and human rights, particularly the right to live and livelihood and land rights. Immense number of studies has occurred on the topic, but the gap identified in such studies being the state response to subjugation of such rights and consequences. State responses, launched by governments with respect to Adivasi problems, fail to achieve their objectives, invite struggles from the Adivasis as it poses question of their right to livelihood. This study is concentrated on the Wayanad belt in Kerala, the largest Adivasi populated district in the state. They constitute more than 17 percent of the total population in the district. Moreover, the major eleven Adivasi communities in the state including the primitive tribal group like Kattunaickans are found in Wayanad. Therefore, this study is an effort to understand their human rights profile, socio-economic life and the extent of human rights violations among them and the state response towards such violations. It is well settled that socio-economic backwardness is the root cause of all the human rights violations in the society.

Objectives

1. To enquire in to the human rights scenario in the state, particularly in Wayanad district.
2. To analyse the socio- economic life of Adivasis in Wayanad district in Kerala with a view to understanding the extent of human rights violations among them.
3. To evaluate the nature and dimensions of the Adivasi struggles in Wayanad district in protecting their rights.
4. To analyse the issue of landlessness and land alienation.
5. To study the response of the state namely, the Legislature, the Executive and the Judiciary.

Hypothesis

1. Human rights are more often violated than protected among the Adivasis in the state in general and particularly in Wayanad.
2. Human rights violations among the Adivasis in Kerala and particularly in Wayanad are on the increase.
3. The response of the state towards the human rights violations among the Adivasis in Wayanad are far from adequate.
4. It is the continuing socio- economic backwardness of the Adivasis, which results in the denial of human rights for them.
5. Inspite of eleven Five Year Plans, the quality of life of the Adivasis of Wayanad has improved only meagrely.
6. The biggest issue for the Adivasis from the human rights perspective is that of landlessness and land alienation.

Universe of the Study

The Universe of the study is Wayanad district of Kerala. Wayanad is selected because it is the district with largest Adivasi population in the state.

Methodology and Data Sources

The methods used for this study are historical and analytical. The study depends on primary as well as secondary data sources. Primary data was gathered using predefined structured schedules. Besides, qualitative data was also gathered to support the descriptive part of the objectives vide methods including focus group discussion, observations and case studies. Secondary data has been collected from authoritative books, periodicals, reports of the government and other published sources of information.

Sampling Plan

The sampling plan for primary data collection is as follows. The tribals in Wayanad district in Kerala are mainly found in three blocks namely, Mananthavady, Kalpetta and Sulthan Bathery which form the Universe of the study. (A new block panchayat namely Panamaram was formed on the 1st of July, 2010 by adjoining certain village panchayats comprised in these three block panchayats.) A total of 750 respondents, 250 each from a block, were

selected randomly from these three blocks. Besides, responses were also collected from the state officials and elected representatives in the area. The data collected through primary survey was edited for consistency and completeness. Thereafter it was coded, processed, and tabulated by using Statistical Package for Social Science(SPSS).To prove the hypotheses spelt above data has been drawn from primary sources as no other work has been done in this area before. However, for comprehending the conceptual framework, use of secondary sources has also been made use of. For the purpose of exhaustive understanding, both formal and informal methods were used. A sample survey is also conducted among Adivasis. An attempt has been made to record valid and reliable information to the maximum possible extent.

Apart from the use of survey and participant observation for gathering data, some tools of Rapid Rural Appraisal (RRA) like focus group discussions and key informant interviews were also employed. This yielded vital qualitative data for the research. For collecting primary information, interview technique has been used. Separate schedules were prepared and administered with a view to securing information from the respondents. Besides, information collected through structured schedules and some case studies have also been done for indepth analysis.

Research Design

The design of the study is descriptive in nature. According to Jaspal Singh (‘*Instruments of Social Research Instruments of Social Research*,’ Rawat Publication, New Delhi, 2011, p.312), a descriptive type of research tries to portray accurately the characteristics of a particular situation or group of individuals. The author in the first chapter of his book entitled ‘Instruments of social research’ elaborates how to exercise our sociological imagination to create something. He further cites four factors of creativity, which include elaboration, flexibility, fluency and originality. This is attempted to be done in this study.

Limitations of the study

The study is subjected to limitation of time and resources. The lack of literacy among the Adivasis seemed to be an obstacle in getting the responses in the stipulated time and manner. Further, there are less than adequate studies in this area, which required more of time to be spent on conceptualising ideas and methodology.

Scheme of Chapterisation

The study is organised in seven chapters.

The first chapter deals with introduction, an overview of the human rights, statement of the problem, review of literature and the basic features of the study.

The second chapter entitled theoretical perspective of human rights in India, discusses the constitutional provisions, rights of the indigenous people and the legislations on human rights. It also discusses the nature of human rights violations in India in general and the incidence of human rights violations among the Adivasis of Kerala in particular.

The third chapter discusses the profile of the Adivasis of Kerala in general and Wayanad in particular.

The socio-economic and political life of Adivasis is analysed in the fourth chapter.

The fifth chapter narrates the human rights and the land alienation, which is the biggest issue among the Adivasis in Wayanad.

The sixth chapter deals with the response of the state in respect of the human rights violations towards Adivasis.

The seventh chapter is the concluding chapter. Here it is said that the response of the state towards Adivasis' human rights issues has been inadequate. Succeeding governments have given only false promises to the Adivasis. The political parties are all equally responsible for ignoring Adivasi interests.

Significant Observations

In this study the data analysis was done amongst 750 Adivasi respondents in three blocks namely Manathavady, Sulthan Bathery and Kalpetta of Wayanad district of Kerala using primary data collected from them. The data shows the following result in connection with the analysis done.

1. In the survey it is found that among the Adivasi communities in Wayanad female population dominates over the male population. This is clear from the survey that the majority of the respondents that is, 487 (64.9 percent) are women. This female domination is seen in all the three regions under study. Of the 750 respondents, 591 (78.8 percent) belong to Paniya community and the Kurichiya community comes second with 9.5 percent (71) and others constitute 11.7 percent (88). Therefore, Paniya community is the largest Adivasi community in Wayanad district.
2. The family life among the Adivasi communities in Wayanad is one of declining. The number of widows are high in all the three regions surveyed. It is significant to note that most of such widows are comparatively at young age and in most of the cases, the partners either died due to diseases or separated due to family problems such as adultery, addiction to liquor etc. This bad set up prevails among the Adivasi communities in Wayanad put their family life in peril. The Adivasi women folk are the worst sufferers.
3. The educational status reveals that the percentage of illiterates among the Advasis is high, i.e. 24.66 percent. Only 40.8 percent has primary education, 32.5 percent has acquired secondary education and 2 percent has acquired higher secondary education. Moreover, the illiteracy and the lack of sufficient education among the Adivasi communities in Wayanad remain as an index towards their social backwardness. High incidence of school dropouts among the students of the Adivasi communities are rampant.
4. Majority of Adivasis are agricultural workers. Among the sample Adivasis 75.3 percent are agricultural workers as against 20.8 percent of them are

working in connection with forests and 3.9 percent are working in private and other government sectors.

5. Majority of the Adivasis (50.1 percent) live in kutcha houses. 11.7 percent of the respondents live in huts and unsatisfactory and sordid living conditions and only 4.7 percent of the Adivasis live in concrete houses.
6. There exists severe social and economic backwardness among the Adivasi communities in Wayanad. The amenities in the households including drinking water, sanitation etc are also important in assessing the quality of living of the Adivasis. Out of the 750 households, only 228(30.4 percent) households have sanitary toilets. This situation leads to constant outbreak of gastro intestinal diseases among the Adivasi communities. 65.9 percent fetches water for their domestic consumption from private wells. Out of the sampled 750 households, only 335 have electricity connection (45 percent) and 55 percent households are not electrified and they mostly depend on kerosene lamps etc.
7. The economic backwardness among the Adivasi communities in Wayanad is very high. The monthly income from primary work of majority of the respondents (77.2 percent) lies in the range of Rs 1501-Rs.2000. Primary source of income of an Adivasi depends on the number of active days of work and the nature of land owned by them and the type of work undertaken. Average man-days of employment for Adivasi men per month worked out to 8.8 days. Women had 3.9 days of employment per month and for children it was 0.13 days. Out of the 750 respondents, 402 of them earn a monthly average income of Rs 1166/- from secondary occupation. While an Adivasi of the Sulthan Bathery region earns a secondary income of about Rs.1526/- per month, the average earnings of Mananthavadi and Kalpetta regions constitute Rs.1020/- and Rs.949/- respectively. Resource crunch forced 81.87 percent to take advances for various purposes.
8. It is clear from this study that the asset holding status of Adivasis in Wayanad is very poor and pathetic. The average value of asset holding of a respondent is worked out to be Rs.14283/- However, the position is better in

the Mananthavadi region when compared to the rest. The total value of assets held by a member respondent in this region is Rs.19150/- The region with lowest asset holding is Kalpetta with Rs.10150/-.

9. The Adivasis' participation in socio- cultural activities is limited. This stands as a big barrier in building up among them a contemporary social life with the rest of the society.
10. The contemporary political discourse in Kerala has deeply penetrated into the tribal communities and has influenced them considerably. However, the study found that a majority of the Adivasi community members are not very sympathetic towards the alternative political movements emerging among them. The Adivasis have no political leadership of their own. Though the land struggle led by the Adivasi Gothra Maha Sabha (the movement led by C.K.Janu) was able to invite much public and media attention, the community members do not have much sympathy towards it. Majority (62 percent) of the respondents denounce such movements because of the confrontationist stand taken by them against the government. A few of them once sympathetic to the Gothra Mahasabha are now its strong critics and indict the leadership of the alternative movements for turning the agitations violent. They are also critical of the idea "occupation of reserved forests" as they feel that this would ultimately lead to heavy deforestation.
11. Health of the Adivasi communities in Wayanad is on the decline. Their life expectancy is found to be low, and only an average 11 percent of the meagre monthly income of a family is spent for medicines, indicating the chances for high morbidity among the community members. Sickle cell anemia was found to be a crippling disease mainly affecting the Adivasis. Overuse of chemical pesticides has caused unprecedented diseases among them. Chewing of tobacco and consumption of alcohol is very high among the communities. It has been revealed from the survey that about 20-30 percent of the total earnings per month is spent for this purpose.

12. Sexual exploitation against Adivasi women have increased posing the grave issue of unwedded Adivasi mothers in Wayanad. This is a social catastrophe among the Adivasi women in Wayanad.
13. State actions in protecting the human rights among Adivasis in Wayanad district are far from adequate. Legislative measures and executive actions are still inadequate in the area of tribal upliftment.

Major findings

Firstly, the education, health and hygienic conditions are very poor in the district. The life expectancy rate is also very low among the Adivasis.

Secondly, women are largely illiterate among the Adivasis. Therefore, their male counterparts and officials exploit them even sexually. Similarly, violence against Adivasi women is also on the increase.

Thirdly, there is a very large school dropout rate among the Adivasi students. This is a great hindrance for their general progress.

Fourthly, there is large-scale landlessness and land alienation among the Adivasi population, which is the foremost issue among them. The governments in power do not show the necessary political will to provide them land, restore the alienated lands, and implement legislations made for this purpose. This has resulted in deep protest among the tribal population all the time, the resentment of which has been reflected in Muthanga land stir and agitations in Aralam Farm, Kannur for land for their existence.

Fifthly, eventhough there is increasing political consciousness among the Adivasis they have not been able to organise themselves in to a social or political force and hence the Adivasis in Wayanad could not become a pressure group and bargain themselves for their rights so far.

Sixthly, the upliftment and development of Adivasi communities particularly in Wayanad is not an easy task as the question involves multi dimensional issues connected with their anthropological foundations, ethnic base, social, economic, cultural, and political and their identity crisis etc. Coordinating these issues and put them on a common platform is a task and as such taking in to account all these aspects, a casework approach is feasible.

Seventhly, the state has not shown the required political will to transform the lives of the Adivasis of Wayanad. The political parties and the succeeding governments are equally responsible for this state of affairs.

Eighthly, real development in any society shall include all sections of the population. The interests of any section shall not be ignored especially in a democracy. Democratic form of development allows scope for discussion and progress. Therefore, it follows that the real progress of a marginalised section of people like the Adivasis depends upon long term developmental schemes formulated with a clear vision. This fact poses a real challenge.

Ninthly it becomes clear from the study that the mindset of the general public that the Adivasis can be easily exploited has to change. This involves an attitudinal change on the part of the middlemen including officials who spend money on behalf of the government for their welfare.